

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

SHARON SUE SEAL,

Plaintiff,

V.

**COMMISSIONER OF SOCIAL SECURITY
ADMINISTRATION,**

Defendant.

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Case No. CIV-18-605-PRW

ORDER

On May 10, 2019, United States Magistrate Judge Bernard Jones issued a Report and Recommendation in this action in which Plaintiff seeks judicial review of the final decision of Defendant that she was not entitled to disability insurance benefits and supplemental security income pursuant to the Social Security Act.

The Magistrate Judge recommends Defendant's decision in this matter be reversed and remanded for further administrative proceedings consistent with the Report and Recommendation. The parties were advised of their right to object to the Report and Recommendation by May 24, 2019, and Defendant did so on that date (Dkt. 25).

Defendant objects to the Magistrate Judge's conclusion that the administrative law judge did not properly consider the opinion of Plaintiff's treating psychiatrist, Marcus James Fidel. In Defendant's view, the administrative law judge's decision to give little weight to Dr. Fidel's opinion is supported by substantial evidence in the record.


Having carefully reviewed this matter de novo, the Court agrees with the Magistrate Judge that the administrative law judge failed to give proper weight to Dr. Fidel's opinions.

As the basis for this conclusion, the Court adopts the analysis contained in the Report and Recommendation.

Accordingly, the Court:

- (1) **ADOPTS** the Report and Recommendation (Dkt. 24) issued by the Magistrate Judge on May 10, 2019,
- (2) **REVERSES** the decision of Defendant,
- (3) **REMANDS** for further administrative proceedings consistent with the Report and Recommendation, and
- (4) **ORDERS** that judgment issue forthwith in accordance with the provisions of sentence four of 42 U.S.C. § 405(g).

IT IS SO ORDERED this 14th day of February, 2020.



PATRICK R. WYRICK
UNITED STATES DISTRICT JUDGE